

Message Text

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ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 ACDA-10 CIAE-00 INR-07 L-03
NSAE-00 NSC-05 EB-08 NRC-07 OES-06 FEAE-00 DODE-00
OIC-02 PM-04 IOE-00 AF-08 ARA-10 EA-09 NEA-10 EPA-04
CEQ-01 /120 W

-----111758Z 010742 /50

P 111441Z FEB 77

FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC PRIORITY 8642
INFO AMEMBASSY LONDON PRIORITY
USMISSION OECD PARIS PRIORITY
USERDA HQ WASHDC PRIORITY
USERDA HQ GERMANTOWN PRIORITY

UNCLAS SECTION 1 OF 2 IAEA VIENNA 1114

DEPT PASS IO/SCT

E.O. 11652: N/A

TAGS: AORG, OCON, IAEA, SENV

SUBJECT: IAEA BOARD OF GOVERNORS: IAEA'S ROLE IN CONNECTION
WITH LONDON OCEAN DUMPING CONVENTION: AGENDA ITEM 4

REF: (A) PARA 5 IAEA VIENNA 0861, (B) 76 STATE 256057

1. SUMMARY: AS NOTED REF A, IAEA BOARD OF GOVERNORS
IS INVITED TO CONSIDER AT ITS NEXT SESSION BEGINNING
FEBRUARY 22 WHETHER IT WOULD BE APPROPRIATE FOR AGENCY
TO EXTEND ITS CURRENT ROLE IN RELATION TO DUMPING AT
SEA OF RADIOACTIVE MATERIALS, TO INCLUDE DEVELOPMENT
OF CODES AND GUIDES RELEVANT TO DUMPING OPERATIONS

AND PROVISION OF ADVISORY SERVICES CONNECTED THEREWITH
(IAEA DOCUMENT GOV/1820, COPIES POUCHED TO ADDRESSEES).
BRIEF DESCRIPTION OF BACKGROUND AND ISSUES INVOLVED
FOLLOWS BELOW, WITH MISSION'S RECOMMENDATION IN PARA 11.
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ACTION REQUESTED: INSTRUCTIONS FOR US DEL TO BG. END SUMMARY.

2. GOV/1820 PROVIDES SUMMARY OF RECENT ACTIONS
RELATED TO CERTAIN ASPECTS OF LONDON OCEAN
DUMPING CONVENTION, SPECIFICALLY, RESULTS OF FIRST
CONSULTATIVE MEETING OF CONTRACTING PARTIES TO THAT
CONVENTION HELD IN LONDON IN SEPTEMBER 1976 AND ACTION

TAKEN BY OECD/NEA STEERING COMMITTEE MEETING
HELD OCTOBER 14, 1976. PAPER GOES ON TO OUTLINE
IAEA'S ACTIVITIES TO DATE IN CARRYING OUT ITS
RESPONSIBILITIES UNDER THE LONDON CONVENTION AS WELL
AS ACTIVITIES CURRENTLY UNDER WAY, SUGGESTS ADDITIONAL
STEPS THAT MIGHT BE TAKEN, DEPENDING ON WISHES OF
BOARD OF GOVERNORS, AND ALSO CONTAINS ANNEX WITH
BACKGROUND INFORMATION DESCRIBING IAEA'S RESPONSIBILITIES
UNDER EXISTING CONVENTIONS (PRIMARILY
LONDON OCEAN DUMPING CONVENTION AND BARCELONA CONVENTION),
SUMMARIZING PRACTICES AND TRENDS IN SEA
DUMPING OF RADIOACTIVE WASTES, AND SPECIFYING
IAEA'S CURRENT COMMITMENTS TO THE LONDON CONVENTION.

3. UNDER LONDON CONVENTION, IAEA IS GIVEN RESPONSIBILITIES
OF: (A) DEFINING HIGH-LEVEL RADIOACTIVE MATERIAL UNSUITABLE
FOR SEA DUMPING, AND (B) ESTABLISHING RECOMMENDATIONS TO
BE FULLY TAKEN INTO ACCOUNT BY STATES PARTY TO CONVENTION
IN ISSUING SPECIAL PERMITS FOR DUMPING OTHER RADIOACTIVE
MATERIAL. SIMILARLY, FIRST PROTOCOL OF BARCELONA CONVENTION
FOR PROTECTION OF MEDITERRANEAN SEA AGAINST POLLUTION
PROVIDES FOR IAEA TO DEFINE "HIGH- AND MEDIUM- AND LOW-LEVEL"
RADIOACTIVE WASTES OR RADIOACTIVE MATTER FOR PROHIBITION
FROM DUMPING INTO THE MEDITERRANEAN SEA AREA, AND ALSO TO
MAKE RECOMMENDATIONS WHICH THE CONTRACTING PARTIES SHOULD
TAKE FULLY INTO ACCOUNT IN ISSUING PERMITS FOR DUMPING OF
RADIOACTIVE WASTES OR OTHER RADIOACTIVE MATTER NOT RPT NOT
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PROHIBITED FROM BEING DUMPED.

4. IAEA'S PROVISIONAL DEFINITION AND RECOMMENDATIONS
PREPARED PURSUANT TO LONDON CONVENTION WERE CONSIDERED
BY FIRST CONSULTATIVE MEETING OF CONTRACTING PARTIES TO
LONDON CONVENTION HELD IN LONDON LAST SEPTEMBER. THESE
WERE ACCEPTED AS OPERATIVE, BUT IAEA WAS REQUESTED TO
IMPROVE THEM IN ACCORDANCE WITH PROPOSALS PUT FORWARD
BY IAEA. (IAEA PROGRAM IS UNDER WAY TO DO THIS.) FIRST
CONSULTATIVE MEETING ALSO REQUESTED THAT IAEA SHOULD
CONSIDER SEVERAL SPECIFIC ASPECTS RELATED TO DUMPING OF
RADIOACTIVE WASTES, AND REQUESTED SECRETARIAT FOR LONDON
CONVENTION (IMCO) TO STUDY, IN COLLABORATION WITH IAEA
AND OECD AND OTHER INTERNATIONAL ORGANIZATIONS, QUESTION
OF NOTIFICATION AND PRIOR CONSULTATION PROCEDURES WITH
REGARD TO DUMPING OF RADIOACTIVE WASTES AS PROVIDED FOR
UNDER LONDON CONVENTION, AND TO REPORT BACK TO NEXT
CONSULTATIVE MEETING OF CONTRACTING

PARTIES TO BE HELD IN SEPTEMBER 1977.

5. OECD/NEA IN MEANTIME HAD PREPARED A DRAFT DECISION FOR OECD COUNCIL TO ACCEPT WITHIN NEA AND OECD MEMBER STATES AN INTERNATIONAL CONSULTATION AND SURVEILLANCE MECHANISM FOR SEA DUMPING OF RADIOACTIVE WASTE, IN ACCORDANCE WITH OBJECTIVES OF LONDON CONVENTION. THIS WAS CONSIDERED BY OECD/NEA STEERING COMMITTEE AT OCTOBER 14 MEETING, AS DESCRIBED REF B. IT WAS DECIDED AT THAT TIME THAT DRAFT DECISION SHOULD BE EXTENSIVELY REVISED AND RESUBMITTED TO NEXT STEERING COMMITTEE MEETING IN APRIL OF THIS YEAR.

6. IAEA DIRECTOR GENERAL NOTES THAT THE REQUESTS BY FIRST CONSULTATIVE MEETING OF CONTRACTING PARTIES TO LONDON CONVENTION AND OECD/NEA'S PROPOSED CONSULTATION AND SURVEILLANCE MECHANISM RAISE QUESTIONS CONCERNING UNCLASSIFIED

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EXTENT TO WHICH IAEA SHOULD BECOME INVOLVED IN ESTABLISHING STANDARDS, GUIDELINES, RECOMMENDED PRACTICES AND PROCEDURES, PRIOR NOTIFICATIONS AND CONSULTATION PROCEDURES, AND SURVEILLANCE SERVICES FOR SEA DUMPING EITHER WITHIN PURVIEW OF LONDON CONVENTION OR IN COLLABORATION WITH SUCH MULTI-NATIONAL

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USERDA HQ WASHDC PRIORITY

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ORGANIZATIONS AS OECD/NEA. ACCORDINGLY, DG HOPES BOARD WILL PROVIDE GUIDANCE TO CLARIFY IAEA'S ROLE.

7. ONE OPTION WOULD BE TO CONFINE FUTURE ACTIVITIES TO ITS CURRENT TASK OF REVISING THE PROVISIONAL DEFINITION AND RECOMMENDATIONS AND RESPONDING ON AN AD HOC BASIS TO REQUESTS FOR ADVICE OR ASSISTANCE AND PARTICIPATING IN MEETINGS CONVENED BY OTHERS.

8. A SECOND OPTION REPRESENTS IAEA'S NORMAL ROLE IN ASSURING SAFETY OF PUBLIC AND PRESERVATION OF ENVIRONMENT IN EXPLOITATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, AS EXEMPLIFIED BY PUBLICATIONS IN IAEA'S SAFETY SERIES AND TECHNICAL REPORTS SERIES, E.G., CODES OF PRACTICE AND SAFETY GUIDES. PUBLICATIONS IN THESE SERIES MIGHT INCLUDE SUCH TOPICS AS: (A) ASSESSMENT OF SEA DUMPING VERSUS LAND BURIAL, (B) SITE UNCLASSIFIED

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SELECTION AND SITE MANAGEMENT CRITERIA, (C) WASTE SOLIDIFICATION AND PACKING REQUIREMENTS, (D) DUMPING OPERATION PROCEDURES, (E) INSPECTION OF DUMPING OPERATIONS, (F) SITE SURVEILLANCE, AND (G) RECORD KEEPING AND REPORTING. SEVERAL OF THESE PUBLICATIONS WOULD HAVE TO BE DEVELOPED IN COLLABORATION WITH OTHER ORGANIZATIONS, E.G., OECD/NEA WHICH ALREADY HAS PLANS TO PRODUCE STANDARDS, GUIDELINES, RECOMMENDED PRACTICES AND PROCEDURES ON SOME OF THESE TOPICS. DG NOTES THAT TIMELY DEVELOPMENT OF SUCH A PROGRAM WOULD REQUIRE TWO OR THREE PROFESSIONAL STAFF MEMBERS AND NUMEROUS CONSULTATIVE AND ADVISORY GROUP MEETINGS. IAEA STATUTE PROVIDES PROPER LEGAL FRAMEWORK FOR SUCH A ROLE, WHICH WOULD BE CONSISTENT WITH PROVISIONS OF LONDON CONVENTION WITH RESPECT TO IAEA.

9. A THIRD OPTION MIGHT BE ANALOGUOUS TO IAEA ROLE IN APPLYING SAFEGUARDS AND INCLUDE SOME OF THE FOLLOWING OPERATIONAL RESPONSIBILITIES: (A) VERIFYING JUSTIFICATIONS FOR DUMPING AND PERMITS FOR DUMPING OPERATIONS; (B) SELECTING OR APPROVING THE SELECTION OF DUMPING SITES; (C) OBSERVATION OR INSPECTION OF DUMPING OPERATIONS; (D) SUPERVISION OF DUMPING OPERATIONS; (E) INSPECTION AND APPROVAL OF A SHIP TO BE USED FOR

A DUMPING OPERATION AND OF THE OPERATIONAL PROCEDURES;
(F) QUALITY CONTROL OR INSPECTION OF DUMPING CONTAINERS;
(G) MAINTAINING REGISTERS OF DUMPING SITES AND DUMPING
OPERATIONS; (H) MONITORING AND SURVEILLANCE OF DUMPING
SITES; (I) MAKING PERIODIC REVIEWS AND ASSESSMENTS OF
SEA DUMPING, INCLUDING THE RELEVANT CODES, GUIDES,
CRITERIA AND PROCEDURES; AND (J) PERFORMING SEA DUMPING
SERVICES FOR MEMBER STATES (THIS WOULD BE THE EXTREME
ACTIVITY AND WOULD REQUIRE THE ORGANIZATION OF A SPECIAL
UNIT, WHICH MIGHT BE FINANCED BY DUMPING FEES). IN
ORDER TO CARRY OUT THIS TYPE OF EXPANDED PROGRAM, ONE
OR TWO PROFESSIONAL STAFF MEMBERS WOULD BE REQUIRED
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AND AN APPROPRIATE UNIT WOULD NEED TO BE ESTABLISHED
WITHIN IAEA, POSSIBLY ASSOCIATED WITH INTERNATIONAL
LABORATORY FOR MARINE RADIOACTIVITY IN MONACO.
MOREOVER, AN EXPLICIT MANDATE TO CARRY OUT SUCH OPERA-
TIONS WOULD NEED TO BE SOUGHT FROM PARTIES TO LONDON
CONVENTION. (SHOULD BE NOTED THAT DRAFT DECISION TO COME
BEFORE OECD/NEA STEERING COMMITTEE IN APRIL IS EXPECTED TO
PROPOSE THAT OECD/NEA UNDERTAKE SEVERAL ACTIVITIES
OF THIS KIND.)

10. DG SUGGESTS THAT SECOND OPTION WOULD BE MOST
APPROPRIATE FOR IAEA AT THIS TIME. THIRD OPTION
CONSIDERED PREMATURE UNTIL RELEVANT CODES AND GUIDES
HAVE BEEN DEVELOPED AND SO LONG AS SEA DUMPING
OPERATIONS ARE LIMITED IN NUMBER. FIRST OPTION NOT RPT NOT
CONSIDERED SUFFICIENTLY RESPONSIVE.

11. MISSION UNDERSTAND THAT U.S. POSITION GENERALLY
HAS BEEN THAT LONDON CONVENTION AND IAEA
ARE THE PROPER VEHICLES FOR ESTABLISHING INTERNATIONAL
MECHANISMS RELATED TO SEA DUMPING OF RADIOACTIVE
WASTE (SEE REF B). ON OTHER HAND, MISSION IS AWARE
THAT OECD/NEA HAS CONSIDERABLE EXPERIENCE AND
EXPERTISE TO OFFER IN THIS AREA AND WE BELIEVE IAEA
COOPERATION WITH OECD/NEA SHOULD BE ENCOURAGED.
DG'S PROPOSAL STRIKES US AS A REASONABLE AND FULLY
RESPONSIVE APPROACH, BUT WE BELIEVE ACTION ON THIS
MATTER BY FORTHCOMING BG SHOULD BE CONFINED AT THIS
TIME TO AN EXPRESSION IN PRINCIPLE ONLY, AND SUBJECT
TO CONSIDERATION OF BUDGETARY AND STAFFING IMPLICATIONS
BY ADMINISTRATIVE AND BUDGETARY COMMITTEE IN APRIL AND
BY BG SESSION IN JUNE, WHICH WILL CONSIDER IAEA PRO-
GRAM AND BUDGET FOR 1978 AS A WHOLE. IN OTHER WORDS,
WE QUESTION PRACTICE OF BG BEING REQUESTED, IN
EFFECT, TO APPROVE EXPANSION OF PARTICULAR AGENCY
PROGRAM AND ENDORSE INCREASE IN PORTION OF BUDGET

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IN ISOLATION FROM OTHER AGENCY PROGRAMS AND OVERALL BUDGET. WE RECOGNIZE, HOWEVER, THAT DG UNDOUBTEDLY FEELS UNDER SOME PRESSURE BY ACTIONS OF OECD/NEA, LONDON CONVENTION MEETING, AND PARTIES TO BARCELONA CONVENTION, AND THAT THERE IS NEED FOR CLARIFICATION OF IAEA'S ROLE. WE SUSPECT HE ALSO WISHES TO HAVE BG VIEWS ON MATTER PRIOR TO NEXT OECD/NEA STEERING COMMITTEE MEETING IN APRIL. WE SYMPATHIZE WITH HIS POSITION, PARTICULARLY SINCE SEVERAL OF THE STATES INVOLVED ARE ALSO REPRESENTED ON BG. ACCORDINGLY, MISSION RECOMMENDS U.S. POSITION AT BG MEETING ENDORSE DG'S PROPOSAL, SUBJECT TO QUALIFICATIONS NOTED ABOVE. STONE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR AGREEMENTS, WATER POLLUTION, RADIOACTIVE WASTES DISPOSAL
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770049-1118
Format: TEL
From: IAEA VIENNA
Handling Restrictions: n/a
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Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Reference: 77 PARAMARIBO 5, 76 STATE 256057
Retention: 0
Review Action: RELEASED, APPROVED
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
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SAS ID: 3345381
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Status: NATIVE
Subject: IAEA BOARD OF GOVERNORS: IAEA'S ROLE IN CONNECTION WITH LONDON OCEAN DUMPING CONVENTION: AGENDA ITEM 4
TAGS: AORG, OCON, SENV, IAEA
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/74f6f5c7-c288-dd11-92da-001cc4696bcc
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